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IAB IV # 2277274

Subject Interview
- Deputy Marco Allen

Witness Interview
- Deputy

Exhibits
- Exhibit A - EM in-service dated October 12, 2010
- Exhibit B - DDWS for EM Unit 293D, October 12, 2010
- Exhibit C - Incident Detail for Tag 9, October 12, 2010
- Exhibit D - Edited complaint report - 910-07608-2930-184
- Exhibit E - Complaint Report - 910-07608-2930-184
- Exhibit F - Memorandum by Deputy October 15, 2010

Miscellaneous Documents
- Deputy handwritten notes regarding report 910-07608-2930-184
- Subject Allen's handwritten notes regarding report 910-07608-2930-184
- Miscellaneous emails

Case Number: IV 2277274
Subject: Deputy Marco Allen [REDACTED]
Investigator: Lieutenant Leonard Williams

Summary:
During the early morning shift on October 12, 2010, Subject Allen and his training officer, Witness [REDACTED], were working uniformed patrol out of Walnut/Diamond Bar Station. During the shift they arrested two suspects for possession of marijuana and methamphetamine, pursuant to a traffic stop in Rowland Heights. Witness [REDACTED] instructed Subject Allen to book all of the evidence they recovered, and he prepared notes for Subject Allen to assist him in writing the criminal complaint report.

After the report was completed by Subject Allen, Witness [REDACTED] reviewed the report and noted numerous errors. Witness [REDACTED] documented these errors for Subject Allen on a photocopy of the original report and instructed Deputy Allen to correct the report. Because Subject Allen and Witness [REDACTED] were still at the station after their shift, Lieutenant John Saleeby instructed Subject Allen to defer the report until he returned for his next shift later that same day. Witness [REDACTED] attended a training class over the following two days, October 13 and 14. Upon his return from the training, Witness [REDACTED] discovered Subject Allen had not submitted the criminal complaint report for a supervisors approval.

Subject Allen provided Witness [REDACTED] the unapproved report and Witness [REDACTED] saw that the marijuana evidence was not listed on the report. When Witness [REDACTED] queried Subject Allen as to the whereabouts of the marijuana, Subject Allen told Witness [REDACTED] that he had destroyed the marijuana by flushing it down a toilet, and he discarded the packaging by tossing it into a trash can.



Leroy D. Baca, Sheriff

County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



February 8, 2012

Deputy Marco Allen, [REDACTED]
[REDACTED]
[REDACTED]

Dear Deputy Allen:

On October 12, 2011, you were served with a Letter of Intention, indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under IAB File Number 2277274. You were also advised of your right to review the material on which the discipline was based.

You did not exercise your right to respond. The grievance period involved has now elapsed, with no change in discipline.

You are hereby notified that you are suspended without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of two (2) days effective February 9, 2012, through February 10, 2012.

An investigation under File Number IAB 2277274, conducted by Walnut/Diamond Bar Station, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedure Section 3-01/040.65,Tampering with Evidence; and/or [REDACTED] [REDACTED], on or about October 12, 2010, while on duty, you were instructed by your training officer to book marijuana that was recovered. You instead flushed the marijuana down the toilet in the Walnut/Diamond Bar Station men's locker room.

Prior to imposing this disciplinary action, I have thoroughly reviewed the incident and your record with this Department.

You will hereby take notice that any future acts of misconduct may result in more severe disciplinary action.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

David E. Halm, Captain
Commander, Walnut/Diamond Station

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

DEH:JBN:md

c: Advocacy Unit
Thomas M. Laing, Chief, Field Operations Region III
Internal Affairs Bureau
Personnel Administration
Office of Independent Review (OIR)
Transit Services Bureau North/unit Personnel File



Leroy D. Baca, Sheriff

County of Los Angeles

Sheriff's Department Headquarters

4700 Ramona Boulevard
Monterey Park, California 91754-2169



October 12, 2011

Deputy Marco Allen, #

Dear Deputy Allen:

You are hereby notified that it is the intention of the Sheriff's Department to suspend you without pay from your position of Deputy Sheriff, Item No. 2708A with this Department for a period of two (2) days.

An investigation under IAB File Number 2277274, conducted by Walnut/Diamond Bar Station, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedure Section 3-01/040.65, Tampering with Evidence; and/or 3-01/050.10, Performance to Standards, on or about October 12, 2010, while on duty, you were instructed by your training officer to book marijuana that was recovered. You instead flushed the marijuana down the toilet in the Walnut/Diamond Bar Station men's locker room.

Prior to determining this disciplinary action, I have thoroughly reviewed the incident and your record with this Department.

You have the right to grieve this disciplinary action within ten (10) business days of receipt of this letter. Your grievance procedures may be found in your classification's negotiated Memorandum of Understanding.

Failure to respond to this Letter of Intent within ten (10) business days will be considered a waiver of your right to grieve and will result in the imposition of this discipline indicated herein.

At the time of service of this letter of intent, you were provided with a copy of the material on which the discipline is based. If you are unable to access the information provided in the enclosed CD, you may contact Maggie Dixon, of Internal Affairs Bureau, at (323) 890-5314, and arrange an appointment for assistance in this regard.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

David E. Halm, Captain
Commander, Walnut/Diamond Bar Station

DEH:JMG:md

c: Advocacy Unit
Employee Relations Unit
Thomas M. Laing, Chief, Field Operations Region III
Internal Affairs Bureau
Office of Independent Review (OIR)
(File # IAB 2277274)